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OCT 27 2005

ATTORNEY DOCKET NO. 12390
Application No. 10/068,924IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Rebecca E. WHITMORE, et al.)	Art Unit: 1772
)	
Application No. 10/068,924)	Examiner: Aughenbaugh, Walter
)	
Filing Date: February 8, 2002)	Confirmation No. 9796
)	
For: SEALABLE FOOD CONTAINER WITH)	
IMPROVED LIDDING AND STACKING)	
FEATURES)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and in compliance with 37 C.F.R. §§ 1.97 and 1.98, Applicants submit herewith Form PTO-1449, identifying information for consideration by the Examiner. Because the above-identified application was filed after June 30, 2003, copies of each cited U.S. patent and each U.S. patent application publication listed are not enclosed pursuant to 1273 OG. Copies of any cited non-U.S. patent references and non-patent references are included herewith.

In accordance with the provisions of M.P.E.P. §2001.06(b) and 37 C.F.R. § 1.98(b)(3), Applicants would like to bring to the attention of the Examiner the existence of the following patent applications related to lids that were currently or previously pending with this application in the United States Patent and Trademark Office:

<u>App. No.</u>	<u>Date Filed</u>	<u>Inventors</u>	<u>Atty. Ref. No.</u>	<u>Status</u>
10/151558	May 20, 2002	Littlejohn, et al.	12390P1P1	Abandoned
09/921264	August 2, 2001	Littlejohn, et al.	12242	Granted (6733852)
10/170675	June 13, 2002	Van Handel et al.	12366	Pending
11/051100	February 4, 2003	Van Handel et al.	12366-P1	Pending

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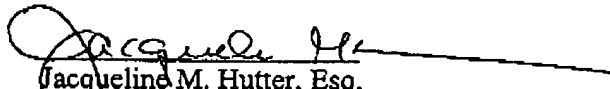
The above applications are stored in the Image File Wrapper (IFW) system of the USPTO. Accordingly, copies of the cited specification, including the claims and drawings thereof, are not enclosed in accordance with the waiver of 37 C.F.R. 1.98(a)(2)(iii) dated September 21, 2004.

Additionally, Applicants submit in the attached Table a summary of product dimensions of pre-existing lidded disposable products having domed lids provided with sidewall flutes. Such flutes are described, for example, in co-pending applications 10/170765 and 11/051100.

Applicants do not waive any rights to take appropriate action to establish patentability over the listed documents should they be applied as a reference against the claims of the present application.

Consideration of the cited information and making the same of record in the prosecution of the above-noted application are respectfully requested. Should the Patent and Trademark Office determine that a fee in excess of that included herewith is required, please charge our Deposit Account No. 50-0674.

Respectfully submitted,


Jacqueline M. Hutter, Esq.
Reg. No. 44,792

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Dated: 10/27/05


<u>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8</u>	
I hereby certify that this Information Disclosure Statement is being transmitted via facsimile transmission to (571) 273-8300, on the date indicated below.	
 Inga L. Smith	<u>October 27, 2005</u> Date

Table 1 - Dimensions of Commercial Lidded Products

Item	Engagement		# Flutes	Flute Diameter ^d	Flute Height ^e	Flute Extension	Ratios (relative to engage. Perim.)		
	Diameter ^b	Perimeter ^c					# Flutes	Flute Diameter	Inward Flute Extension
Group 1 - Outwardly Convex Flutes on Lid									
10" Commercial Lid	10.256		72	0.708	0.0625	0.4375	2.23	0.022	0.01
7 X 9 Platter		25.25	56				2.22		
9 X 11 Platter		31.25	68				2.18		
5 oz. bowl		23.125	48				2.08		
Group 2 - Other Products ^a									
6" plate/12 oz. bowl		18.625	44	0.708			2.36	0.038	
7" plate		22	36	1.258			1.64	0.057	
9" plate		27.3125	44	0.952			1.61	0.035	
10" plate		32.25	52	0.952			1.61	0.030	
11" plate		34.875	44	0.952			1.26	0.027	

^aFlutes are outwardly concave.^bCPP lid diameter is average of 3 readings with vernier caliper with lid on a plate.^cMeasured to nearest 1/16" with tape measure.^dGauged with a dime that measured .708" with vernier, quarter - .952, key ring - 1.258.^eMeasured to nearest 1/32" with steel ruler

PTO/SB/08A (07-05)

Approved for use through 07/31/2008. OMB 0651-0031

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

2

Complete if Known

Application Number	10/068924
Filing Date	February 8, 2002
First Named Inventor	Rebecca E. WHITMORE et al.
Art Unit	1772
Examiner Name	Aughenbaugh, Walter
Attorney Docket Number	12390

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 2630237	03-03-1953	ROSENLOF	
		US- 2811152	10-29-1957	WICKS	
		US- 2914104	11-24-1959	JOCELYN	
		US- 3101864	08-27-1963	GLICKMAN	
		US- 3107027	10-15-1963	HONG	
		US- 3139131	06-30-1964	HUTCHINSON	
		US- 3303964	02-14-1967	LUKER	
		US- 3511288	05-12-1970	SWETT ET AL.	
		US- 3633785	01-11-1972	CYR ET AL.	
		US- 3690902	09-12-1972	DAHL	
		US- 3779418	12-18-1973	DAVIS	
		US- 3938688	02-17-1976	RYAN	
		US- 4555043	11-26-1985	BERNHARDT	
		US- 4741452	05-03-1988	HOLZKOPF	
		US- 4776459	10-11-1988	BECKERMAN ET AL.	
		US- 4874083	10-17-1989	ANTONI ET AL.	
		US- 4960639	10-02-1990	ODA ET AL.	
		US- 5220999	06-22-1993	GOULETTE	
		US- 5287959	02-22-1994	HANSEN ET AL.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ⁶ -Number ⁷ -Kind Code ⁸ (if known)				
		JP Sho 51[1976]-159550	07-25-1978	SATO ET AL.		
		JP Sho 58[1983]-78235	11-28-1984	KOBAYASHI		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Examiner Name	Aughenbaugh, Walter
Sheet <u>2</u> of <u>2</u>	Attorney Docket Number	12390	

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		Number-Kind Code ² (if known)			
		US- 5377860	01-03-1995	LITTLEJOHN ET AL.	
		US- 5441166	08-15-1995	LUCAS, JR. ET AL.	
		US- 5500261	03-19-1996	TAKEI ET AL.	
		US- 5685453	11-11-1997	GOINS ET AL.	
		US- 5860549	01-19-1999	ALLERS ET AL.	
		US- 5915581	06-29-1999	PFIRRMANN, JR. ET AL.	
		US- 6120863	09-19-2000	NECULESCU ET AL.	
		US- 6440509-B1	08-27-2002	LITTLEJOHN ET AL.	
		US- 6595366-B1	07-22-2003	BROWN	
		US- 6733852-B2	05-11-2004	LITTLEJOHN ET AL.	
		US- 2002/0122907-A1	09-05-2002	WHITMORE ET AL.	
		US- 2002/0175171-A1	11-28-2002	STEWART ET AL.	
		US- D345912	04-12-1994	KRUPA	
		US- D358091	05-09-1995	WARBURTON	
		US- D415024	10-12-1999	MCCANN	
		US- D450580	11-20-2001	LITTLEJOHN ET AL.	
		US-			
		US-			
		US-			

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY			

Examiner Signature	Date Considered
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